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11 Attorneys for PLAINTIFF
12 ROBERT HUNTER BIDEN

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **WESTERN DIVISION**

16 ROBERT HUNTER BIDEN, an
17 individual,
18 Plaintiff,
19 vs.
20 PATRICK M. BYRNE, an individual,
21 Defendant.

Case No. 2:23-cv-09430-SVW-PD

Hon. Stephen V. Wilson

**PLAINTIFF ROBERT HUNTER
BIDEN'S NOTICE OF
DEFENDANT'S NON-
COMPLIANCE WITH COURT
ORDERS**

Complaint Filed: November 8, 2023
Trial Date: October 14, 2025

1 **PLEASE TAKE NOTICE** that Defendant Patrick M. Byrne (“Defendant”) has
2 failed to comply with the following Court orders (collectively, the “Orders”): (i) the
3 July 30, 2025 oral order that Defendant obtain new counsel by August 15, 2025; and
4 (ii) the August 5, 2025 Order Declining To Grant Default Judgment; Continuing Trial;
5 And Reopening Limited Discovery For Plaintiff (ECF No. 311) (the “August 5 Order”)
6 requiring that Defendant provide Plaintiff with an email address for electronic service
7 or a physical address for mail or overnight delivery service of documents.

8 Defendant’s former counsel, Michael Murphy, Esq., (who was terminated by
9 Defendant but who has not been relieved as counsel by the Court pursuant to the Court’s
10 August 5, 2025 Order) stated that he provided Defendant with notice of the Orders.
11 ECF No. 313. In addition to receiving Mr. Murphy’s notice of the Orders, Defendant
12 was represented by Thomas Yu, Esq., at the July 30, 2025 hearing where he also
13 received notice of the Court’s July 30, 2025 Orders, and, Defendant’s counsel-of-
14 choice, Stephanie Lambert, Esq., was in the courtroom gallery the entirety of the July
15 30, 2025 hearing and thus had notice of the Court’s July 30, 2025 Orders and she also
16 likely informed Defendant of the July 30, 2025 Order. So, Defendant cannot plausibly
17 claim that he did not have notice of the Orders. Yet, Defendant has not provided
18 Plaintiff with any contact information for service, has not registered with the Court’s
19 CM/ECF system, and has not obtained new counsel by the August 15, 2025 deadline as
20 ordered by the Court on July 30, 2025.

21 Defendant’s status as a pro se litigant does not relieve him from complying with
22 the Court’s order or rules. Local Civil Rule 1-3, entitled “Applicability of Rules to
23 Persons Appearing Without Attorneys[,]” states:

24 Persons appearing pro se are bound by these rules, and any
25 reference in these rules to “attorney” or “counsel” applies to
26 parties pro se unless the context requires otherwise.

27 Further, Local Civil Rule 83-2.2.3, states: “Any person appearing pro se is
28 required to comply with these Local Rules, and with the F.R.Civ.P., F.R.Crim.P.,

1 F.R.Evid. and F.R.App.P.” Local Civil Rule 83-2.2.4 states: “Failure to comply with
2 the rules enumerated in L.R. 83-2.2.3 may be grounds for...judgment by default.” And,
3 Local Civil Rule 83-2.4, entitled “Notification of Change of Name, Address, Firm
4 Association, Telephone Number, or E-Mail Address[,]” states, in relevant part:

5 [A]ny party who has appeared pro se in a case pending before the
6 Court, and who changes his or her name, office address (or
7 residence address, if no office is maintained), law firm
8 association (if any), telephone number, or e-mail address must,
9 within five (5) days of the change, notify the Clerk of Court in
10 writing. If any actions are currently pending, the attorney or
11 party must file and serve a copy of the notice upon all parties.

12 Defendant chose to terminate all of his attorneys and by the Local Rules is
13 obligated to inform the Court of Defendant’s contact information and comply with the
14 Court’s rules and orders. Defendant has not met any of these obligations.

15 Further, Defendant is not the typical pro se party. He is a successful businessman
16 who was the CEO of a publicly traded company, Overstock.com, whose wealth has
17 greatly increased based on publicly available documents and his public admissions.
18 Defendant’s ability to obtain counsel is demonstrated by the fact that he is represented
19 in two other actions pending in two different federal district courts.

20 Finally, even if Defendant wishes to proceed pro se in this action, Local Rule 5-
21 3.2.2 permits pro se litigants to register to receive electronic service of documents
22 through the Court’s CM/ECF System. Requiring Plaintiff to serve Defendant other than
23 by electronic service would be prohibitively expensive. Defendant appears to not have
24 any permanent physical address. He testified at his deposition that he intended to make
25 his residence in Dubai and that he travels constantly. From August to February of this
26 year, Defendant appears to have traveled to the United States, Ghana, Brazil, Dubai,
27 Qatar and possible Venezuela. It would be highly prejudicial and contrary to the
28 interests of justice to require Plaintiff to hire process servers to chase a billionaire

1 Defendant around the world simply because Defendant elected to fire his attorneys on
2 the morning of trial.

3
4 Dated: August 18, 2025

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6 By: /s/ Bryan M. Sullivan

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